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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,823	11/21/2003	Namit Jain	O17035742001	1338
23639 7590 08/17/2007 BINGHAM MCCUTCHEN LLP Three Embarcadero Center San Francisco, CA 94111-4067			EXAMINER CHANNAVAJJALA, SRIRAMA T	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 08/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10718823	11/21/03	JAIN ET AL.	OI7035742001

BINGHAM MCCUTCHEN LLP  
Three Embarcadero Center  
San Francisco, CA 94111-4067

**EXAMINER**

Luke S.. Wassum

ART UNIT	PAPER
2167	20070815

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The Applicants' Information Disclosure Statement, filed 11 May 2007, has been received and entered into the record. The IDS, however, fails to fully comply with the provisions of MPEP § 609.

As noted by the Applicants, under 37 C.F.R. § 1.98(d), the Applicant is not required to supply copies of references when the reference was cited and properly identified in an IDS of an antecedent application, and the earlier submitted IDS conforms with 37 C.F.R. § 1.98(a)-(c). However, not all of the items cited on the IDS of 11 May 2007 fulfill these requirements.

Items 20-22 (three Japanese Patents) were originally submitted in the IDS of 5 July 2005 in antecedent application 10/648,577. However, the submission failed to comply with 37 C.F.R. § 1.98(a)(3) because the references were submitted in a foreign language and the Applicants failed to include a concise explanation of the relevance, as it was presently understood by the individual designated in 37 CFR § 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. As such, these documents have not been considered, except for the Abstract Only of reference 21, since an English language translation of the Abstract was provided.

Reference 98 was originally submitted in an IDS filed 5 December 2003 in antecedent applications 10/648,577 and 10/648,600, but failed to conform to the provisions of 37 C.F.R. § 1.98(a)(2) because no copy of the reference was received. The applicants did submit a CD-ROM as part of the IDS submission. However, such a submission fails to comply with the provisions of MPEP § 609.

MPEP § 609.04(a)II states that

"Electronic means or medium for filing IDSs are not permitted except for: (A) citations to U.S. patents and U.S. patent application publications in an IDS filed via the Office's Electronic Filing System (EFS) (see MPEP § 609.07); or (B) a compact disc (CD) that has tables, sequence listings, or program listings included in a paper IDS in compliance with 37 CFR § 1.52(e). A CD cannot be used to submit an IDS listing or copies of the documents cited in the IDS."

Since copies of reference 98 was originally submitted on a CD in lieu of a paper copy, this document has not been considered by the examiner.

Reference 103 has not been considered by the examiner, since it is a duplicate of reference 92.

Please see attached form PTO-1449.

A handwritten signature in black ink, reading "Luke S. Wassum". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Luke S. Wassum  
Primary Examiner  
Art Unit 2167

for Srirama T. Channavajjala